

DISTRICT ATTORNEY

OF THE

COUNTY OF NEW YORK

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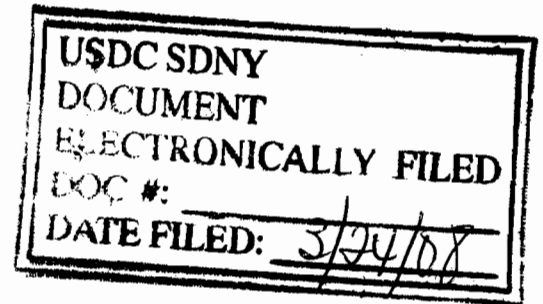
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ROBERT M. MORGENTHAU
DISTRICT ATTORNEY

MEMO ENDORSED

March 14, 2008



BY FAX

Honorable Theodore H. Katz
United States Magistrate Judge
United States Court House
500 Pearl Street, Room 1660
New York, NY 10007

Re: James P. Colliton v. Michael S. Morgan, et al., 07 Cv. 8269 (LTS) (THK)

Your Honor:

This letter is sent in connection with the above-captioned matter, a case brought pursuant to 42 U.S.C. § 1983 against, inter alia, Michael S. Morgan, and Assistant District Attorney for New York County ("ADA Morgan").

I am writing to request an extension of time to answer or otherwise respond to the complaint on behalf of ADA Morgan. Presently, ADA Morgan's response is due on April 2, 2008.¹ I am writing to request a 30-day extension of the original deadline, i.e., until May 2, 2008. An extension of time is necessary to enable this office to adequately investigate the factual allegations and legal bases of plaintiff's complaint in order to know how to best respond.

This is ADA Morgan's first request for an extension of time. Because plaintiff is proceeding pro se, his consent to this application has not been sought nor obtained.

We appreciate the Court's consideration of this request.

Respectfully,

Alan Gadlin (AG-6469)
Assistant District Attorney
(212) 335-3640

Granted

cc: James P. Colliton, plaintiff pro se
28 Milbank Road
Poughkeepsie, New York 12603
(by mail)

SO ORDERED

3/21/08

THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

¹ Since plaintiff effected service pursuant to N.Y. CPLR § 308(2) and filed his proof of service on March 3, 2008, service was deemed completed on March 13, 2008, making ADA Morgan's response due twenty days later, on April 2, 2008. See Fed. R. Civ. P. 4(a)(1)(A).

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TO COUNSEL OF RECORD ON 3/24/08